

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1956 of 2016**

Golu @ Punendra Mohan, S/o. Shri Bhagwat Mohan, aged about 25 years, R/o Budhadev Para, Nagari, Tahsil and Police Station Nagari, District Dhamtari (CG)

---Applicant

Versus

State of Chhattisgarh Through--Station House Officer, Police Station -- Nagari, District-Dhamtari (CG)

---Non-applicant

For Applicant	:	Mr. Y.C.Sharma, Advocate
For Non-applicant	:	Mr. Vivek Shinghal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

11/05/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.6/2016, registered at Police Station-Nagari, District-Dhamtari (CG), for the offence punishable under Sections 406, 294 and 506 of the IPC.

2. Case of the prosecution, in brief, is that complainant Sajni Bai claiming to be Sarpanch of Gram Panchayat Bhaisamuda made a report on 31.1.2016 that the applicant was given advance of ₹ 2,40,000/- on 14.3.2015 for supplying construction material which he neither supplied nor refunded the money and thereby committed the offences.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been

implicated in crime in question. He would further submit that according to panchayat record, no such amount has been given, as such, the applicant is in jail since 4.3.2016 and charge-sheet has already been filed.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicant and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-